

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GÉRARD SILLAM and ALDRIC SAULNIER,

Plaintiffs,

-against-

LABATON SUCHAROW LLP and
CHRISTOPHER J. KELLER,
Defendants.

No. 21 CV 6675 (CM)(OTW)

**DECLARATION OF
GÉRARD SILLAM**

I, GÉRARD SILLAM, declare and say as follows:

1. I am a citizen of France and a resident of Paris, France. I am one of the Plaintiffs in this action. I submit this Declaration in connection with my upcoming deposition on oral examination in this action (the “Deposition”), which the United States District Court for the Southern District of New York (the “New York Court”) has authorized be taken in Paris, France, or alternatively via remote means with me in France, in reliance on this Declaration.

2. I understand and agree that my Deposition will be conducted pursuant to the Hague Convention on the Taking of Evidence Abroad in Civil and Commercial Matters (the “Hague Evidence Convention”), under Chapter II of the Hague Evidence Convention procedures in effect in France. I understand and agree that my counsel and Defendants’ counsel will jointly request that the New York Court issue a Letter of Request asking the French national authorities to authorize the Deposition taking place in Paris, France, or via remote means with me in France.



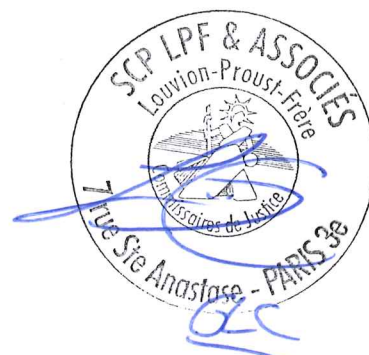
3. I am participating voluntarily in the Deposition and I will take, and instruct my counsel to take, all reasonable steps to cooperate with the procedures required for the scheduling and taking of the Deposition, and will take no action calculated to prevent or obstruct the Deposition.

4. I will not file or pursue any type of legal proceeding in France, including but not limited to any type of criminal proceeding or criminal complaint, against Defendants, Defendants' counsel, or any persons affiliated with them, relating directly or indirectly to the conduct of the Deposition or this action.

5. I understand and agree that the Deposition will be conducted in accordance with the U.S. Federal Rules of Civil Procedure and the Local Rules of the New York Court, to the same extent as if the Deposition were being taken in the United States, and that I will answer the questions asked of me, under oath, to the same extent as if the Deposition were being taken in the United States.

6. I understand and agree that should I breach any of the promises contained in this Declaration, I will be subject to sanctions or remedial action by the New York Court, which may include (but not be limited to) monetary sanctions, injunctive relief, a directive that the Deposition be continued in New York, and/or the dismissal of this action.

7. I am submitting this Declaration freely and voluntarily after having had a full opportunity to consult with my attorneys in both New York and France. I understand the terms of this Declaration, which my attorneys translated into French for my review before I signed it.



I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in Paris, France, this ____ day of February 2023.


GÉRARD SILLAM

Je soussigné Ne Guewen Le Cloërec, Commissaire de Justice au sein de la SCP LPF & Associés, Commissaire de Justice à Paris, 7 rue Sainte Anastase (75003) Paris, certifie avoir rencontré ce jour, 16/02/2023 à 17h37, Monsieur SILLAM GÉRARD au Ghinet de Ben Arrouat 18 Avenue Daumesnil (75012) Paris. Monsieur SILLAM GÉRARD me présente sa pièce d'identité.

En ma présence, il procède à la signature du document ci-dessus pour un total de 3 feuillets.

S.C.P LPF & ASSOCIÉS
Louvion-Proust-Frère
Commissaires de Justice Associés
7, rue Sainte Anastase
75003 PARIS

Guewen LE CLOËREC
Commissaire de Justice

À Paris le 16/02/2023
à 17h37

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Fait par serin et robin ce que de droit.

